

GLOBAL NAPS, INC.

COMMONWEALTH OF MASSACHUSETTS

DOCKET NO. 03-29

Respondent: Paul Parks, Jr.

Title: Director of Real Estate

REQUEST: Verizon Massachusetts First Set of Information Requests to Global NAPS, Inc.

DATED: April 18, 2003

VZ-GN-1-1 In its Complaint, ¶ 1, GNAPs states that Verizon failed “to issue collocation access/identifications cards to GNAPs employees.” Please provide the name of each GNAPs employee who applied for a Collocation Access Card and Photo ID from Verizon MA from August 1, 2002 to date. Please provide the following information for each named applicant:

(a) whether all the information required by Verizon MA since August 1, 2002 was provided by each GNAPs employee on his/her application;

(b) whether the GNAPs employee was a new hire (applicant) or was seeking to renew his/her credentials;

(c) for those GNAPs employee who applied for renewal, please provide the expiration date of each employees’ previous valid Verizon access card and photo ID;

(d) for each GNAPs employee application since August 1, 2002, please provide the date submitted to Verizon and indicate the status of those applications, *i.e.*, approved, rejected or pending. If rejected, please state the reasons for rejection (*e.g.*, failure to provide social security number, address, place of birth, criminal background check, drug testing certification, etc.);

(e) for those applications that were rejected, please identify whether they were resubmitted with additional information required by Verizon (*e.g.*, social security number, address, place of birth, criminal background check, drug testing certification, etc.)

and indicate the status of those resubmitted applications , *i.e.*, approved, rejected or pending.

RESPONSE: Please see response to DTE-GN-2-2, DTE-GN-2-3 and VZ-GN-1-3.

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VZ-GN-1-2 Please provide any and all documents relating to GNAPS' Reply to VZ MA 1-1. This should include, but not be limited to, copies of all new and renewal applications provided by GNAPS employees from August 1, 2002 to date and all resubmitted applications, where required.

RESPONSE: Please see response to DTE-GN-2-2, DTE-GN-2-3 and VZ-GN-1-3.

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VZ-GN-1-3 In its Complaint, ¶ 7, GNAPs states that “Global’s employees’ existing identification badges are beginning to expire.” Please identify those employees to which GNAPs refers. Provide their name, job description, date of expiration of their Verizon access card and identification badge, the date for submitting their renewal application, and any action taken by Verizon on those renewal applications.

RESPONSE:

Name	Title	Badge Expiration Date	Action Taken
Michael Spelman	Field Site Supervisor	April, 2001	Rejected September, 2002
Paul Parks, Jr.	Director of Real Estate	April, 2001	Renewal rejected, September, 2002
Nicholas Arancio	NOC Supervisor	New Application	Rejected September, 2002
Roger Ach	Technical Engineer	August, 2002	Rejected September, 2002
Timothy Durrigan	Physical Plant Manager	April, 2001	Rejected, September, 2002
Alex Romanaukas	Engineer	April, 2003	Renewed April 2003

James Finnegan	Technical Specialist	April, 2003	Renewed April, 2003
Matthew Pallett	Engineer	April, 2003	Renewed April, 2003
Ryan Lowe	Technician	April, 2003	Renewed April, 2003
Barton Bruce	Chief Technology Officer	May, 2003	Renewed April, 2003
Robert Richards	Technician	April, 2003	Renewed April, 2003
Jeff Nelson	Switching Platform Supervisor	April, 2003	Renewed April, 2003

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VZ-GN-1-4 In its Complaint, ¶ 9, GNAPs states that “Verizon has been denying access to Global employees with expired badges.” Please identify each instance when a GNAPs employee with expired credentials has attempted to gain access to Verizon’s collocated facilities in Massachusetts. This should include, but is not limited to, the following: the name of the GNAPs employee; the date, time and location where each GNAPs employee was denied access; the reason(s) stated for denial; the expiration date of the GNAPs employee’s Verizon credentials; whether that particular employee was alone or accompanied by someone else, and if accompanied by another, please provide the name of the person, their position and employer, and whether they possessed valid Verizon credentials.

RESPONSE: Global NAPS employees have been informed that once Verizon converts to key card access, collocators without access cards will be unable to gain entry to the facilities. Some Verizon offices are not staffed, so if a Global employee does not have an access card, s/he will not be able to gain access to that facility. Specifically, on or about February 10, 2003, Maria Minor, Verizon’s local collocation coordinator told Paul Parks that no one would be let into the Sanford, Maine facility without an access card. Global NAPS is investigating other specific instances of denials and will supplement this response when the information becomes available.

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Respondent: Frank T. Gangi

Title: President

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VZ-GN-1-5 In its Complaint, ¶ 12, GNAPS states that “requiring Global and other CLECs to undergo burdensome and intrusive procedures under the guise of security will have an anti-competitive effect on CLECs in Massachusetts.” Please fully explain this statement and provide any and all supporting documentation for GNAPS’ conclusion.

RESPONSE: The statement is self-explanatory. The procedures require employees to provide personal information about themselves and to be subjected to unwarranted drug testing. CLECs will have to devote time and resources to implementing procedures. Global has no documentation with which it can quantify the statement.

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Respondent: John O. Postl
Title: Assistant General Counsel

REQUEST: Verizon Massachusetts First Set of Information Requests to Global NAPS, Inc.

DATED: April 18, 2003

VZ-GN-1-6 Please provide copies of any and all written practices and procedures or other guidelines or materials relating to GNAPs' employment policies in Massachusetts or other jurisdictions where GNAPs operates. This should include, but not be limited to, any and all policies regarding drug use, illegal or criminal conduct, etc.

RESPONSE: Global NAPS objects to this request to the extent that it calls for information relating to its employment practices in general, which has nothing to do with this docket. Global NAPS has no written policies regarding illegal drug use or illegal or criminal conduct, however, drug use and illegal/criminal conduct are not tolerated.

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VZ-GN-1-7 Please provide copies of any and all written practices and procedures or other guidelines or materials relating to GNAPs' policies regarding conduct by GNAPs' employees when entering or accessing collocation facilities or premises in Massachusetts or other jurisdictions where GNAPs operates.

RESPONSE: None.

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Respondent: John O. Postl
Title: Assistant General Counsel

REQUEST: Verizon Massachusetts First Set of Information Requests to Global NAPS, Inc.

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VZ-GN-1-8 Please provide copies of any and all written practices and procedures or other guidelines or materials relating to GNAPs' current code of business conduct in Massachusetts or other jurisdictions where GNAPs operates.

RESPONSE: Global NAPs objects to this information request on the basis that it seeks information which is not relevant to any issue in this proceeding. The request is overbroad in that it seeks information regarding Global's "code of business conduct" which would include information which has no bearing on this proceeding. Subject to and notwithstanding this objection, Global is not in possession of any documents responsive to this request.

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Respondent: Frank T. Gangi

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VZ-GN-1-9 Please provide copies of all employment applications used by GNAPS in Massachusetts or other jurisdictions where GNAPS operates.

RESPONSE: Global NAPS does not have an “employment application”, but requires employees to fill out various informational, tax and healthcare forms at the time of hire.

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VZ-GN-1-10 Regarding GNAPs' Reply to DTE-GN-6, does GNAPs require that its employees provide their social security numbers as a condition of employment in Massachusetts or other jurisdictions where GNAPs operates? If yes, please list all such jurisdictions. If no, please explain.

RESPONSE: Obviously Global NAPS requires its employees to provide their social security numbers for tax purposes. Global NAPS does not use the numbers for any other purpose.

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VZ-GN-1-11 Referring to GNAPs Replies to GN-DTE-1 and 4, please indicate under what, if any, circumstances GNAPs conducts criminal background checks or drug testing of its new or current employees in Massachusetts or other jurisdictions where GNAPs operates. Also, please state whether and under what conditions GNAPs has conducted such tests or background checks of any employee (past or present) in Massachusetts or elsewhere.

RESPONSE: Global NAPS currently does not undertake criminal background checks nor does it perform drug testing.

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VZ-GN-1-12 Please provide all documents in GNAPs' possession that identify the costs to GNAPs of complying with Verizon's requirements for criminal background checks and drug testing for GNAPs' employees.

RESPONSE: Global NAPS is not in possession of any documents responsive to this request. It has not yet investigated the cost of implementing these procedures and will not do so unless and until the outcome of this case requires it to do so.

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VZ-GN-1-13 Please indicate whether GNAPs reports to Verizon the occurrence of any lost and/or stolen identification badges, card access or keys issued to GNAPs employees by Verizon. Please describe any procedures in place for obtaining replacements; if no replacements are made please state why not and describe how and whether the GNAPs employee gains access to Verizon's property (*i.e.*, whether the employee is accompanied by another individual with valid Verizon credentials or signs in as a visitor, etc.). Please also provide a list of employees who have had to obtain replacements since August 1, 2002, as well as the dates that photo ID badges, access cards and/or keys were reported as lost, the dates they were replaced, and how the employee accessed Verizon's property in the interim.

RESPONSE: Any lost and/or stolen badges would be reported to Paul Parks, Director of Real Estate who would then contact Verizon to report the loss/theft and make arrangements for issuance of replacement cards. There have been no badges lost or stolen after August 1, 2002.

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VZ-GN-1-14 Please fully explain why, as indicated in ¶ 13 of its Complaint, GNAPs contends Verizon's application requirements "constitute an impermissible barrier to entry." If GNAPs claims that the costs GNAPs would incur to comply with Verizon's collocation security requirements are a factor in barring or limiting GNAPs entry, please provide the following information for the past three years:

1. Annual reports filed with the Massachusetts Department of Telecommunications and Energy;
2. Headcount EOY;
3. IRS Form 941 by quarter;
4. Audited Financial Statements including Balance Sheet and Income Statements;
5. Corporate Tax Returns in the absence of Audited Financial Statements;
6. Detailed Selling General & Administrative Statements/Schedules that support Audited Financial Statements or Corporate Tax Returns to include the following expenditures whether capitalized or expensed (regardless of where recorded):

Total Administrative:

Total Human Resources

Total Recruiting

Total Application Processing and Employee Testing

Total Employee Training

RESPONSE:

Global NAPs does not claim that the practices themselves are prohibitively expensive such that Global NAPs could not compete were it required to institute these procedures. Global's position is that the procedures violate state and federal law, are unduly intrusive and do not accomplish any legitimate security interests by Verizon. Therefore, the mere imposition of these requirements by Verizon constitute a barrier to entry.